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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

UNITED STATES OF AMERICA, For the Use)
 of SAN BENITO SUPPLY, a California)
 corporation,)
)
 Plaintiff,)
)
 v.)
)
 KISAQ-RQ 8A 2 JV, a joint venture;)
 FRAZIER MASONRY COMPANY, a)
 California corporation; FEDERAL)
 INSURANCE COMPANY, an Indiana)
 corporation; WESTERN SURETY)
 COMPANY, a South Dakota corporation,)
)
 Defendants.)

CASE NO. 5:13-CV-00469-HRL

**STIPULATION FOR EXTENSION OF
 THE EXPERT DISCLOSURES AND
 RELATED REPORTS DEADLINES,
 AND ORDER THEREON**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff, United States
 of America, For the Use of San Benito Supply (“San Benito”), by and through its attorneys of
 record, Monteleone & McCrory, LLP, and Defendants KISAQ-RQ 8A 2 JV, Federal Insurance
 Company and Western Surety Company (“KISAQ”, “Federal”, and “Western”), and Defendant
 and Counterclaim Plaintiff Frazier Masonry Corporation (“Frazier”), by and through their
 attorneys Case, Ibrahim & Clauss, LLP, as follows based on the herein below facts and terms:

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- 1 1. The Fact Discovery cutoff date is February 13, 2014;
- 2 2. The last date for the service of expert designations (with reports) is currently
- 3 February 20, 2014;
- 4 3. The last date for the service of rebuttal expert designations (with reports) is
- 5 currently March 3, 2014;
- 6 4. The Expert Discovery cutoff date is currently March 20, 2014;
- 7 5. The Final Pre-Trial Conference is May 20, 2014.
- 8 6. The parties conducted a number of non-party depositions in November 2013. San
- 9 Benito took the depositions of personnel from KISAQ and Frazier. Frazier and KISAQ took the
- 10 depositions of San Benito personnel in January and early February 2014. The deposition of Karl
- 11 Mai, the Materials/Architectural Engineer for the United States Corps of Engineers was taken on
- 12 January 13, 2014.
- 13 7. San Benito, Frazier, KISAQ, Federal, and Western (collectively “the Parties”)
- 14 agree that an additional 14 days are needed to complete the initial expert disclosures with reports.
- 15 The Parties agree that all other expert discovery cutoff dates should be extended by 14 days.
- 16 8. The parties, through their attorneys of record, hereby stipulate to the continuance
- 17 of the service of expert designations (with reports) deadline from February 20, 2014 to March 6,
- 18 2014.
- 19 9. The parties, through their attorneys of record, hereby stipulate to the continuance
- 20 of the rebuttal expert designations (with reports) deadline from March 3, 2014 to March 17,
- 21 2014.
- 22 10. The parties, through their attorneys of record, hereby stipulate to the continuance
- 23 of the Expert Discovery cutoff date from March 20, 2014 to April 3, 2014.
- 24 11. This stipulation may be executed by fax or email and that fax or email signature
- 25 will be treated as an original for all purposes.

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12. This stipulation may be executed in counterparts, and that all executed counterparts will be taken together and treated as one full and complete document.

IT IS SO STIPULATED AND AGREED.

DATED: February 14, 2014

MONTELEONE & McCRORY, LLP

By 

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DATED: February 14, 2014

CASE, IBRAHIM & CLAUSS, LLP

By: 

BRIAN S. CASE

F. ALBERT IBRAHIM

Attorneys for Defendants KISAQ-RQ 8A JV.,

FEDERAL INSURANCE COMPANY AND

WESTERN SURETY COMPANY and

Defendant/Counterclaimant FRAZIER MASONRY CORPORATION

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DEADLINE FOR DESIGNATION OF EXPERTS WITH REPORTS IS CONTINUED TO FEBRUARY 27, 2014. NO OTHER DEADLINES ARE AFFECTED.

~~PURSUANT TO STIPULATION~~, IT IS SO ORDERED.

Date: February 20, 2014


HOWARD R. LLOYD
United States Magistrate Judge